

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:17-cv-00261-GCM
(3:03-cr-00214-GCM-1)

WESLEY LORENZA MCKINNEY,)
)
Petitioner,)
)
vs.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)
)

ORDER

THIS MATTER is before the Court upon an initial review of Wesley Lorenza McKinney's pro se Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255. (Doc No. 1.) Rule 2(b)(5) of the Rules Governing Section 2255 Proceedings for the United States District Courts requires that a motion to vacate, set aside, or correct sentence "be signed under penalty of perjury by the movant or by a person authorized to sign it for the movant." Neither McKinney, nor a person authorized by him, signed the instant Motion under penalty of perjury. (Mot. 6, Doc. No. 1.)

IT IS, THEREFORE, ORDERED that the Clerk of Court shall send McKinney the Motion to Vacate, Set Aside or Correct Sentence. McKinney shall have twenty-one (21) days from receipt of the Motion to sign it under penalty of perjury and return it to the Clerk of Court. Failure to comply with this Order shall result in the dismissal of the Motion.

Signed: June 15, 2017



Graham C. Mullen
United States District Judge

